

REMARKS

In the Office action dated June 16, 2004, claims 1-4 and 15 were rejected under 35 U.S.C. 102(b) based on U.S. Pat. No. 5,579,782 to Masuo, and claims 18-22 were indicated as allowable. Claims 5-14, 16 and 17 are withdrawn from consideration. Applicant thanks the Examiner for the indication of allowability. Applicant traverses the rejections, but nevertheless amends the claims as indicated above and presents the following remarks.

Claim 1-3

Claim 1 has been amended to recite that the quantitative information includes at least one regression coefficient and a regression constant which are obtained based on statistical processing based on actual measurement values of the abdominal visceral fat cross sectional area VA measured in abdominal tomography of human bodies of random samples and respective WHR values of the human bodies of random samples and respective WHR values of the human samples. Amended claim 1 further has been amended to recite that the estimated value of abdominal visceral fat cross sectional area VA of the patient is based on a WHR value of the patient, the regression constant of said WHR, and the regression coefficient. These elements, in combination with the other elements recited in claim 1, are not disclosed by Masuo, nor any other references of record. Therefore, applicants respectfully submit that claim 1, as well as dependent claims 2 and 3, are allowable.

Claim 4, 15

In regard to independent claim 4, the Examiner asserts that use of a regression formula is disclosed in Masuo at Col. 3, Lines 32-50. However, Masuo does not disclose obtaining the estimated value of abdominal visceral fat cross section area VA of the patient based on a WHR value of the patient, the regression constant of said WHR, and the regression coefficient. The

device disclosed in Masuo appears to calculate a "V/S Ratio" which is a visceral to subcutaneous ratio, rather than the estimated value of abdominal visceral fat cross sectional area VA. None of the cited references teach or suggest such statistical analysis. Therefore, applicants respectfully submit that independent claim 4, as well as dependent claim 15, are allowable.

Claims 18-22

Claims 18-22 have been indicated allowable.

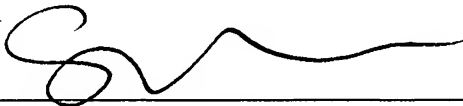
Claims 23, 24

Applicants present new claims 23 and 24, which depend from claim 1. These claims relate to "the estimated value of abdominal visceral fat cross sectional area VA," which has been added by this amendment to claim 1.

The above amendments and remarks are believed to address fully the Examiner's rejections, and place the application in condition for allowance. A prompt indication of the same respectfully is requested. The Examiner is encouraged to telephone the undersigned if any issues remain that may be resolved by a telephonic interview.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on September 17, 2004.



Josi Bridges

Date of Signature: September 17, 2004

Respectfully submitted,
KOLISCH HARTWELL, P.C.



Mark D. Alleman
Customer No. 23581
Registration No. 42,257
of Attorneys for Applicants
520 S.W. Yamhill Street, Suite 200
Portland, Oregon 97204
Telephone: (503) 224-6655
Facsimile: (503) 295-6679